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Counterclaim-Plaintiff
CHIPMOS TECHNOLOGIES, INC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Freescal Semiconductor, Inc.,

Plaintiff,

v.

ChipMOS Technologies, Inc.,

Defendant.

Case No. C-09-03689-JF-RS

**STIPULATION TO PERMIT
FREESCALE SEMICONDUCTOR,
INC. TO FILE UNDER SEAL
DOCUMENTS SUPPORTING
FREESCALE SEMICONDUCTOR,
INC.'S OPPOSITION TO CHIPMOS
TECHNOLOGIES, INC.'S MOTION
FOR SUMMARY JUDGMENT**

Date: N/A
Time: N/A
Courtroom: 3, 5th Floor
Judge: Hon. Jeremy Fogel

1 Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiff Freescale Semiconductor, Inc.
2 (“Freescale”) and Defendant ChipMOS Technologies, Inc. (“ChipMOS,” and together with
3 Freescale, the “Parties”) jointly submit this Stipulation to Permit Freescale Semiconductor, Inc. to
4 File under Seal Documents Supporting Freescale Semiconductor, Inc.’s Opposition to ChipMOS
5 Technologies, Inc.’s Motion for Summary Judgment.

6 WHEREAS, Freescale filed its Opposition to ChipMOS Technologies, Inc.’s Motion for
7 Summary Judgment (“Opposition”), along with the supporting Declaration of Greg L. Lippetz
8 (“Lippetz Declaration” or “Lippetz Decl.”) and exhibits attached thereto, on July 22, 2011;

9 WHEREAS, Freescale has filed an Administrative Motion to File under Seal Documents
10 Supporting Freescale Semiconductor, Inc.’s Opposition to ChipMOS Technologies, Inc.’s Motion
11 for Summary Judgment;

12 WHEREAS, the requested relief is necessary and narrowly tailored to protect the
13 confidentiality of the materials put at issue by Freescale’s Opposition until such time as the Court
14 makes a final ruling as to confidentiality of the relevant subject matter. Specifically, Exhibits 1-5
15 to the Lippetz Declaration, along with portions of Freescale’s Opposition, contain information
16 designated by Freescale as “Confidential” or “Highly Confidential – Attorneys’ Eyes Only.”

17 NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their
18 respective counsel of record, that Freescale be permitted to move for permission to file under seal
19 Exhibits 1-5 to the Lippetz Declaration, as well as portions of Freescale’s Opposition. While the
20 Parties agree that portions of Freescale’s Opposition may be publicly filed, the Parties also agree
21 that the filing shall not be construed as a waiver of any confidentiality designation or other
22 protection with respect to documents, transcripts, or other information referred to in, or that serve
23 as the basis for, the allegations or arguments made in it.

24 **IT IS SO STIPULATED.**

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1 Dated: July 22, 2011

JONES DAY

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3 By: /s/ Greg L. Lippetz
4 Greg L. Lippetz

5 Counsel for Plaintiff
FREESCALE SEMICONDUCTOR, INC.

6 In accordance with General Order No. 45, Section X(B), the above signatory attests that
7 concurrence in the filing of this document has been obtained from the signatory below.

8 Dated: July 22, 2011

COOLEY LLP

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10 By: /s/ Ronald S. Lemieux
11 Ronald S. Lemieux

12 Counsel for Defendant
CHIPMOS TECHNOLOGIES, INC.

13 **IT IS SO ORDERED.**

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16 DATED: 8/12/11

By: 

Hon. Jeremy Fogel